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Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
APPROXIMATELY \$104,994 IN UNITED )  
STATES CURRENCY, )  
 )  
Defendant. )

No. 08-02331 JL

JOINT CASE MANAGEMENT  
CONFERENCE

Plaintiff, United States of America and Claimant Todd Dunphy respectfully submit this  
Joint Case Management Statement.

**1. Jurisdiction and Service**

This Court has jurisdiction pursuant to Title 28, United States Code, Sections 1345 and  
1355 and Title 21, United States Code, Section 881(a)(6). Plaintiff has served notice of this  
action on all persons who may have an interest in the property. Todd Dunphy, represented by  
David Michael, has filed a verified claim and an answer. To date, no other claims have been filed  
in this action.

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**2. Facts**

The parties have entered into a settlement agreement, that they believe will be memorialized before the case management conference scheduled for December 29, 2010.

**3. Principal Factual and Legal Issues**

There are currently no factual and legal issues in dispute.

**4. Anticipated Motions**

None at this time.

**5. Amendment of Pleadings**

None at this time.

**6. Disclosures**

This is an in rem forfeiture case and is exempt from initial disclosures pursuant to Federal Rule of Civil Procedure 26 (a)(1)(B)(ii).

**7. Discovery**

The parties have not engaged in discovery at this time, other than the government's initial Special Interrogatories. The parties do not contemplate further discovery

**8. Class Action**

This is not a class action.

**9. Related Case**

The parties are aware of a related criminal prosecution and a civil forfeiture action currently pending in the District of Hawaii

**10. Relief/Damages**

Plaintiff seeks a judgment of forfeiture of the defendant currency. This is not a damages case. Claimants seek the return of the defendant currency.

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**11. Settlement**

The parties have entered into a settlement agreement, that they believe will be memorialized before the case management conference scheduled for December 29, 2010.

Dated: December 22, 2010

/S/  
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DAVID M. MICHAEL  
Attorney for Claimant  
TODD DONALD DUNPHY

Dated: December 22, 2010

/S/  
\_\_\_\_\_  
DAVID B. COUNTRYMAN  
Assistant United States Attorney

Due to the Court's unavailability, the case management conference is hereby continued to January 12, 2011 at 10:30 a.m.

December 22, 2010

